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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/767,317

01/22/2001

Alan Finkelstein

3431P009X

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8791

7590

08/29/2002

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EXAMINER

KIM, AHSHIK

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 08/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application N .

09/767,317

Applicant(s) *W*

FINKELSTEIN, ALAN

Examiner

Ahshik Kim

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

## DETAILED ACTION

### *Continuation Data*

1. Acknowledged this application is a continuation-in-part application of U.S. Serial No.  
5 09/066,799, filed April 24, 1998, now U.S. Patent No. 6,176,430, which is continuation-in-part  
application of U.S. Serial No. 08/758,640, filed November 27, 1996, now U.S. Patent No.  
5,856,661, which is a continuation-in-part application of U.S. Serial No. 08/582,601, filed  
January 3, 1996, now U.S. Patent No. 5,608,203, which is a continuation application of U.S.  
Serial No. 08/250,801, filed May 27, 1994, now abandoned, which is a is a continuation-in-part  
10 application of U.S. Serial No. 08/197,218, filed February 16, 1994, now U.S. Patent No.  
5,434,405, which is a is a continuation-in-part application of U.S. Serial No. 07/834,490, filed  
February 12, 1992, now U.S. Patent No. 5,412,199.

### *Drawings*

- 15 2. This application has been filed with informal drawings (figure 20), which are acceptable  
for examination purposes only. Formal drawings will be required when the application is  
allowed.

### *Claim Rejections - 35 USC § 103*

- 20 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all  
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or  
described as set forth in section 102 of this title, if the differences between the subject

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matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5 3. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dalton et al. (US 6,070,990) in view of Bravenec et al. (US 6,073,854).

Dalton teaches a rigid planer card 10 comprising light emitting diode (LED) 36(See abstract; col. 1, lines 53+) and a pressure-sensitive switch component (col. 2, line 56 – col. 3, line 9).

Dalton fails to specifically teach or fairly suggest that the card is comprised of a lens disposed on the card.

Bravence teaches a conventional card such as credit card or ATM card (col. 1, lines 25+) including lens element 16, which provides variety of visual effects as well as providing multiple images to the users (col. 1, lines 16+; col. 2, lines 56+).

In view of Bravenec's teaching, it would have been obvious to an ordinary skill in the art at the time the invention was made to further incorporate well-known lens element to the teachings of Dalton in order to provide helpful information to users and manufactures. As LED provides enhancement so that the users may use the card in poorly-lit environment (i.e., nighttime, in the theater, etc.), adding lens-element to improve visual effects of the card would have an obvious extension taught by Bravence to improve overall functionality of the card. Moreover, the lenticular lens can be replaced with magnifying lens type for the visually handicapped users, further improving the functionality of the card. Such various modifications would have been an obvious expedient, well known to one ordinary skill in the art.

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**Conclusion**

I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Kiekhefer (US 6,296,188); Walker (US 6,325,284) disclose transaction card with illuminating features.

5 II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Ahshik Kim* whose telephone number is (703)305-5203 . The examiner can normally be reached between the hours of 6:00AM to 3:00PM Monday thru Friday.

10 If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (703) 305-3503. The fax number directly to the Examiner is (703) 746-4782. The fax phone number for this Group is (703)308-7722, (703)308-7724, or (703)308-7382.


15 Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [ahshik.kim@uspto.gov].

20 *All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.*

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

25

Ahshik Kim  
Patent Examiner  
Art Unit 2876  
30 August 22, 2002

  
MICHAEL G. LEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800